

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2004:

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Present

Vote

Thomas G. Shepperd, Jr., Chairman  
James S. Burgett, Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Kenneth L. Bowman

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A DRIVEWAY CONNECTION BETWEEN GEORGE WASHINGTON MEMORIAL HIGHWAY (ROUTE 17) AND AN APPROVED SENIOR HOUSING CONGREGATE CARE FACILITY ON FORT EUSTIS BOULEVARD (ROUTE 105)

WHEREAS, on October 21, 2003, the York County Board of Supervisors adopted Resolution No. R03-169 approving Application No. UP-622-03, which requested a Special Use Permit to authorize the establishment of a 118-suite senior housing congregate care facility on an 8.23-acre portion of a 10.4-acre parcel located on Fort Eustis Boulevard (Route 105) approximately 240 feet west of its intersection with Route 17 and further identified as Assessor's Parcel No. 24-63-2; and

WHEREAS, Colson and Colson Construction Company has submitted Application No. UP-633-04, which requests an amendment to the above-referenced Special Use Permit to authorize a driveway connection between the congregate care facility and an existing entrance on Route 17 that currently serves McDonald's restaurant; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2004, that Application No. UP-633-04 be, and it is hereby, approved to amend the conditions set forth in Resolution No. R03-169, adopted by the Board of Supervisors on October 21, 2003, authorizing a Special Use Permit for the establishment of a 118-suite senior housing congregate care facility on an 8.23-acre portion of a 10.4-acre parcel located on Fort Eustis Boulevard (Route 105) approximately 240 feet west of its intersection with Route 17 and further identified as Assessor's Parcel No. 24-63-2 subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of a 118-suite senior housing congregate care facility on an 8.23-acre portion of a 10.4-acre parcel located on Fort Eustis Boulevard (Route 105) approximately 240 feet west of its intersection with Route 17 and further identified as Assessor's Parcel No. 24-63-2.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any land clearing or development activities on the site. Said site plan shall be in substantial conformance with the conceptual plan entitled "Yorktown Congregate Care Facility," prepared by Curry Brandaw Architects and dated July 28, 2003, supplemented by the project narrative submitted by the applicant, except as modified herein.
3. Access to Route 17 via a driveway connection from the proposed congregate care facility to the proposed eastern property boundary as depicted on the plan titled "Site Plan: Yorktown Retirement Residence," prepared by Curry Brandaw Architects, dated November 11, 2003 and revised February 16, 2004, shall be permitted.
- 3.4. Development of the property shall be subject to the provisions of the Watershed Management and Protection Area overlay district set forth in Section 24.1-376 of the Zoning Ordinance.
- 4.5. The development shall be constructed and operated in conformance with the provisions of Section 24.1-411, Standards for Senior Housing (Housing for Older Persons), of the Zoning Ordinance.

5.6. A sidewalk or other walkway shall be constructed to provide safe and convenient pedestrian access from the congregate care facility to the developed commercial property to the east (McDonald's restaurant).

6.7. The maximum number of resident suites shall be 118.

7.8. In accordance with Section 24.1-260(f) of the Zoning Ordinance, all outdoor lighting in excess of 3,000 initial lumens associated with the development shall be designed, installed, and maintained to prevent unreasonable or objectionable glare onto Fort Eustis Boulevard and adjacent properties and shall incorporate the use of full cut-off luminaires.

8.9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

BE IT FURTHER RESOLVED that these conditions shall supersede the original conditions of approval set forth in Resolution No. R03-169, adopted by the Board of Supervisors on October 21, 2003.